

FILED

APR 28 2009

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_  
DeputyIN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

LIQUID MOTORS, INC.

v.

ALLYN LYND AND  
UNITED STATES OF AMERICA

CAUSE NO. 3:09-cv-0611-N

**NOTICE AND AGREED MOTION FOR VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

Liquid Motors, Inc. ("Liquid Motors") files this Notice and Agreed Motion for Voluntary Dismissal Without Prejudice and respectfully shows the Court as follows:

1. Liquid Motors filed its Original Complaint and Application for Temporary Restraining Order on April 2, 2009.
2. Liquid Motors filed a First Amended Complaint, Application for Temporary Restraining Order on April 3, 2009.
3. Neither Defendant Allyn Lynd nor Defendant United States of America has filed an answer or motion for summary judgment in this case.
4. This is the first time Liquid Motors has sought to dismiss any federal- or state-court action based on the claims asserted in its Original Complaint or First Amended Complaint.

5. Pursuant to Federal Rule of Civil Procedure 41(a)(1), Liquid Motors hereby moves to voluntarily dismiss its claims against Defendants Allyn Lynd and the United States of America without prejudice to its right to refile, at a later date, a new lawsuit asserting any and all claims arising from, or related to, the acts complained of in the above-captioned action, against any Defendant named herein or any additional as-yet unnamed defendants.

Respectfully submitted,

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*Attorney for Defendants Allyn Lynd and United States of America*

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 28<sup>th</sup> day of April, 2009, I caused a true and correct copy of this filing to be sent by U.S. Mail and email to the United States Attorneys' Office of the Northern District of Texas.

Matthew R. Stammel

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